

Joon M. Khang (CSBN 188722)
Judy L. Khang (CSBN 192454)
KHANG & KHANG LLP
4000 Barranca Parkway, Suite 250
Irvine, California 92604
Telephone: (949) 419-3834
Facsimile: (949) 385-5868
Email: joon@khanglaw.com

[Proposed] Attorneys for The Litigation Practice Group, PC,
Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re	)	Case No.: 8:23-bk-10571-SC
)	
THE LITIGATION PRACTICE GROUP, PC,	)	Chapter 11
)	
Debtor.)	
	)	APPLICATION FOR ORDER
	)	AUTHORIZING EMPLOYMENT OF
	)	KHANG & KHANG LLP AS GENERAL
	)	BANKRUPTCY COUNSEL TO THE
	)	DEBTOR AND DEBTOR IN POSSESSION,
	)	THE LITIGATION PRACTICE GROUP,
	)	PC, EFFECTIVE MARCH 20, 2023;
	)	DECLARATION OF JOON M. KHANG IN
	)	COMPLIANCE WITH BANKRUPTCY
	)	RULE 2014 AND LOCAL RULE 2014-1(2)
)	
	)	[No Hearing Required Per Local Bankruptcy Rule
	)	2014-1(b)]
)	

TO THE COURT, THE OFFICE OF THE UNITED STATES TRUSTEE AND TO ALL
PARTIES REQUESTING SPECIAL NOTICE:

The debtor and debtor in possession, The Litigation Practice Group, PC (“Applicant” or
“Debtor”), submits this Application for Order Authorizing Employment of Khang & Khang

1 LLP, as it's General Bankruptcy Counsel ("Application"), and in support of this Application,
2 respectfully represents as follows:

3 BACKGROUND

4 1. On March 20, 2023 ("Petition Date"), Applicant filed a voluntary petition for
5 relief with this Court pursuant to the provisions of Chapter 11 of the Bankruptcy Code.

6 2. Applicant is currently operating as a debtor in possession in this Chapter 11 case
7 pursuant to sections 1107 and 1108 of the Bankruptcy Code.

8 3. This Application is made pursuant to section 327 of the Bankruptcy Code, Rule
9 2014 of the Federal Rules of Bankruptcy Procedure ("FRBP"), Local Bankruptcy Rule 2014-1, and
10 the applicable United States Trustee Notices and Guides.

11 4. Applicant desires to employ Khang & Khang LLP ("K&K") as it's general
12 bankruptcy counsel in connection with this case. K&K has attorneys who practice in the areas of
13 insolvency, reorganization, and bankruptcy law and is well qualified to represent Applicant. A
14 summary of the experiences, qualifications and hourly rates of those members of K&K expected to
15 render services to Applicant is attached to the accompanying Declaration of Joon M. Khang
16 ("Khang Declaration") as Exhibit "A" and is incorporated herein by this reference.

17 5. Expenses which will be charged to the Debtor are as follows:

18 Photo Copies:	\$0.10 per page
19 Outgoing Fax:	\$1.00 per page
Mileage:	\$0.58 per mile
20 Postage:	Actual costs
Parking:	Actual costs
21 Attorney/Messenger Services :	Actual costs
22 Telephonic Appearance Fees:	Actual costs
Filing Fees:	Actual costs

23 6. K&K was first retained by Applicant on March 17, 2023 and has received the sum
24 of \$80,000.00 (the "Retainer Deposit") to prepare and file Applicant's Chapter 11 petition. The
25 Retainer Deposit was paid by the Debtor. Of Retainer Deposit, to date, \$1,738 has been expended
26 for the Chapter 11 filing fee for this case and \$13,800 has been expended for time spent (27.6
27 hours x \$500 per hour) on prepetition consultation, document review and preparation of petition
28 and related documents initially filed in this case. The remaining balance of \$64,462 is held in trust.

1 Debtor will pay an additional \$20,000 as retainer deposit. These funds will be held in trust and will
2 not be disbursed until a fee application is approved by the Court.

3 7. Subject to the Court's approval of K&K's retention, the balance of the
4 Deposit is held in a segregated account and will be used in accordance with the requirements of
5 the Bankruptcy Code, applicable rules, orders of the Bankruptcy Court, and the United States
6 Trustee Notices and Guides. K&K will be seeking approval of compensation in this case pursuant
7 to 11 U.S.C. § 330. K&K does not intend to seek any monthly draw down on the pre-petition Deposit
8 and will file fee applications not more frequently than every 120 days in this case.

9 8. Applicant requires bankruptcy counsel to render the following types of
10 professional services:

- 11 a) Advise and counsel Applicant regarding matters of
12 bankruptcy law;
- 13 b) Represent Applicant regarding Applicant's legal rights and
14 responsibilities under the Bankruptcy Code, the Federal Rules of
15 Bankruptcy Procedure, the Local Bankruptcy Rules, the United
16 States Trustee Notices and Guides, and to assist Applicant in the
17 administration of Applicant's bankruptcy estate;
- 18 c) Advise Applicant with respect to preparing, filing and confirming
19 of a plan of reorganization;
- 20 d) Represent Applicant in proceedings or hearings before the
21 Bankruptcy Court in matters involving bankruptcy law or in
22 litigation in the Bankruptcy Court in matters relating to bankruptcy
23 law;
- 24 e) Assist Applicant in the preparation of reports, accounts, applications
25 and orders involving matters of bankruptcy law; and
- 26 f) Assist Applicant in such other matters as may be necessary.

27 9. Notwithstanding the foregoing, Applicant may, from time to time, request
28 that K&K undertake specific matters beyond the limited scope of responsibilities set forth
above. Should K&K agree in its discretion to undertake any such specific matters, Applicant
seeks authority to employ K&K for such matters, without further order of the Court.

10. To the best of K&K's knowledge, based upon the attached Declaration of Joon M.

1 Khang and any supplemental declarations that may filed, and after conducting an investigation of
2 potential conflicts of interest arising from K&K's representation of Applicant, K&K and the
3 attorneys comprising or employed by it do not hold or represent an interest adverse to the estate.
4 and do not have any connection with Applicant, the creditors of the estate, or any other party in
5 interest in this case, or their respective attorneys or accountants. The disclosures contained in the
6 Khang Declaration are incorporated herein by this reference.

7 11. The following supplemental disclosures are made in lieu of the Bankruptcy Court's
8 optional Form 2014-1, entitled "Statement of Disinterestedness for Employment of Professional
9 Person under F.R.B.P. 2014."

10 a) K&K is not and was not a creditor, an equity security holder or an insider of
11 Applicant;

12 b) K&K is not and was not an investment banker for any outstanding
13 security of Applicant;

14 c) K&K is not and was not, within three (3) years before the date of filing of
15 the petition herein, an investment banker for a security of Applicant, or an attorney
16 for such an investment banker in connection with the offer, sale or issuance of any
17 security of Applicant;

18 d) K&K is not and was not, within two (2) years before the date of filing of the
19 petition herein, a director, officer or employee of Applicants or of any investment
20 banker for any security of Applicant;

21 e) Subject to the disclosures contained in the Khang Declaration, K&K neither
22 has nor represents any interest materially adverse to the interests of the estate or of
23 any class of creditors or equity security holders, by reason of any direct or indirect
24 relationship to, connection with, or interest in, Applicant or an investment banker
25 for any security of Applicant, or for any other reason; and

26 f) No member of K&K is a relative or employee of United States Trustee or a
27 bankruptcy judge.

28 12. Notice of this Application will be served on all of Debtor's creditors, the Office of
the United States Trustee and any party requesting special notice. A copy of the Notice of this

1 Application served on creditors and the Office of the United States Trustee is attached hereto as
2 Exhibit "B" to the Khang Declaration.

3 13. Applicant believes that the employment of K&K as Applicant's bankruptcy
4 counsel is in the best interest of the estate and creditors in this Chapter 11 case.

5 14. K&K will seek interim compensation during the case, and final compensation at
6 the conclusion of the case, as permitted under sections 330 and 331 of the Bankruptcy Code, Rule
7 2016 of the Federal Rules of Bankruptcy Procedure, and Local Bankruptcy Rule 2016-1. K&K
8 understands that its compensation in this case is subject to the prior approval of the Bankruptcy
9 Court, after notice and a hearing, in accordance with sections 330 and 331 of the Bankruptcy Code,
10 Rule 2016 of the Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rule 2016-1, and the
11 United States Trustee Notices and Guides.

12 WHEREFORE, Applicant requests that the Court approve this application for employment
13 of Khang & Khang LLP as Applicant's general bankruptcy counsel, effective as of March 20,
14 2023, pursuant to Bankruptcy Code section 327(a) to render services as described above with
15 compensation to be paid in accordance with Bankruptcy Code sections 330 and 331 as an expense
16 of administration pursuant to Bankruptcy Code sections 507(a) and 503(b) in such amounts as the
17 Court may hereafter determine and allow.

18 DATED: April 17, 2023

The Litigation Practice Group, PC

19
20 By:  _____

Daniel March

21
22 President of The Litigation Practice Group
23 Debtor and Debtor in Possession
24
25
26
27
28

DECLARATION OF JOON M. KHANG

I, Joon M. Khang, declare:

1. I am a partner with the law firm of Khang & Khang LLP ("K&K"), with offices at 4000 Barranca Parkway, Suite 250, Irvine, CA 92604. I am admitted to practice in all courts in the State of California and in the United States District Court for the Central District of California. I have personal knowledge of the facts set forth herein and, if called as a witness, I could and would testify competently thereto. This declaration is made pursuant to the provisions of Bankruptcy Rule 2014 and Local Bankruptcy Rule 2014-1.

2. I am familiar with the Bankruptcy Code, the Bankruptcy Rules, and the Local Bankruptcy Rules and shall abide by them.

3. I make this declaration in support of the Application of the Debtor and Debtor in Possession to Employ General Bankruptcy Counsel (the "Application"). K&K has been requested to serve as general bankruptcy counsel to The Litigation Practice Group, PC, debtor and debtor in possession ("Applicant"), in the above-captioned bankruptcy case, on the terms described in the Application.

4. K&K's attorneys practice regularly in the areas of bankruptcy and restructuring and K&K is well qualified to represent Applicant. A summary of the experiences, qualifications and hourly rates of K&K's attorneys who will be representing Applicant in this case is attached hereto as Exhibit "A" and is incorporated herein by this reference.

5. K&K was first retained by Applicant on March 17, 2023 and has received the sum of \$80,000.00 (the "Retainer Deposit") to prepare and file Applicant's Chapter 11 petition. The Retainer Deposit was paid by the Debtor. Of Retainer Deposit, to date, \$1,738 has been expended for the Chapter 11 filing fee for this case and \$13,800 has been expended for time spent 27.6 hours x \$500 per hour) on prepetition consultation, document review and preparation of petition and related documents initially filed in this case. The remaining balance of \$64,462 is held in trust.

6. Subject to the Court's approval of K&K's retention, the retainer funds are held in a segregated account and will be used in accordance with the requirements of the Bankruptcy Code, applicable rules, orders of the Bankruptcy Court, and the United States Trustee Notices and

1 Guides. K&K will be seeking approval of compensation in this case pursuant to 11 U.S.C. § 330.
2 K&K does not intend to seek any monthly draw down on the pre-petition Deposit and will file fee
3 applications not more frequently than every 120 days in this case.

4 7. Applicant requires bankruptcy counsel to render the following types of professional
5 services:

- 6 a) Advise and counsel Applicant regarding matters of bankruptcy law;
7
8 b) Represent Applicant regarding Applicant's legal rights and responsibilities
9 under the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure,
10 the Local Bankruptcy Rules, the United States Trustee Notices and Guides,
11 and to assist Applicant in the administration of Applicant's bankruptcy
12 estate;
13
14 c) Advise Applicant with respect to preparing, filing and confirming of a plan
15 of reorganization;
16
17 d) Represent Applicant in proceedings or hearings before the Bankruptcy
18 Court in matters involving bankruptcy law or in litigation in the Bankruptcy
19 Court in matters relating to bankruptcy law;
20
21 e) Assist Applicant in the preparation of reports, accounts, applications and
22 orders involving matters of bankruptcy law; and
23
24 f) Assist Applicant in such other matters as may be necessary.

25 9. K&K has no connection with Applicant, creditors of the estate or any party in
26 interest, or their respective attorneys and accountants, or with the United States Trustee, or any
27 person employed in the Office of the United States Trustee.

28 10. K&K has agreed to accept appointment as general bankruptcy counsel for Applicant
with any compensation to be paid as described in the Application.

11. Notice of this Application has been served on all of Debtor's creditors, the Office of
the United States Trustee and any party requesting special notice. A copy of the Notice of this
Application served on creditors and the Office of the United States Trustee is attached hereto as
Exhibit "B" and is incorporated herein by his reference.

I declare under penalty of perjury under the laws of the United States of America that the
foregoing is true and correct.

Executed this 17th day of April 2023, at Irvine, California.

/s/ Joon M. Khang
Joon M. Khang

EXHIBIT A

KHANG & KHANG LLP

OVERVIEW OF THE FIRM

Khang & Khang LLP ("K&K") is experienced in representing businesses in out-of-court workouts and bankruptcy cases, including debtors, secured creditors, trustees, receivers, creditors' committees and purchasers. While acting as insolvency counsel for debtors and creditors in many areas, we have developed expertise in real estate, light manufacturing and entertainment, as well as partnership matters and transnational proceedings. As debtor's counsel, we attempt, whenever possible, to restructure a client's indebtedness out of court in order to avoid the need for a reorganization case. We are particularly experienced in the prosecution and defense of fraudulent transfer claims and complex preference issues.

K&K also focus on the following substantive areas:

- Bankruptcy
- Corporate and Business & Transactions
- Business / Commercial Litigation

ATTORNEYS

Joon M. Khang received his J.D. from Pepperdine University School of Law in 1996, and received his B.A. degree in History from Alma College in 1987. While attending law school, Mr. Khang served as an extern for the Honorable Kathleen P. March, United States Bankruptcy Judge, Central District of California from 1995 to 1996. Mr. Khang is admitted to practice in the State courts of California and the United States District Court for the Central, Northern and Southern Districts of California.

Mr. Khang has represented chapter 7 and 11 debtors and creditors in all aspects of bankruptcy matters. Specifically, he has represented secured creditors and debtors in Chapter 11 proceedings and Chapter 7 trustees in all aspects of Chapter 7 case administration; defended creditors in preference and nondischargeability actions; represented creditors' committees in Chapter 11 cases; represented a debtor in reconvertng case from Chapter 7 to Chapter 11 and obtaining entry of final decree; represented secured creditors in Chapter 11 and Chapter 7 cases; worked on all aspects of Chapter 11 reorganizing and liquidating cases; successfully obtained confirmation of a Chapter 11 reorganizing plan; and argued an appeal before the Ninth Circuit Bankruptcy Appellate Panel. Mr. Khang has represented domestic and international companies in chapter 11 bankruptcy proceedings. Mr. Khang is also experienced in the areas of real estate transactions and business and commercial litigation.

Joon M. Khang's hourly rate is \$500.00.

Judy L. Khang graduated from the University of California, Hastings College of the Law in 1997. She served as an Associate Editor for the Constitutional Law Quarterly. While attending law school, Ms. Khang also served as a judicial extern for the Honorable Susan Illston of the United States District Court, Northern District of California and the Honorable Dennis Montali and the Honorable Leslie Tchaikovsky, each of the United States Bankruptcy Court, Northern District of California. Ms. Khang also holds a B.A. from the University of California, Los Angeles, where she graduated with honors.

Ms. Khang specializes in providing litigation services and general counsel to small to mid-size businesses and entrepreneurs on contract and employment matters. She represents clients at the pre-litigation and litigation levels, as well as in alternative dispute resolution venues. Ms. Khang also has extensive experience in representing Chapter 7 trustees in all aspects of Chapter 7 case administration.

Ms. Khang's hourly rate is \$350.00.

EXHIBIT B

[Proposed] Attorneys for The Litigation Practice Group, PC
Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re	)	Case No.: 8:23-bk-10571-SC
)	
THE LITIGATION PRACTICE GROUP, PC,	)	Chapter 11
)	
Debtor.	)	NOTICE OF APPLICATION FOR ORDER
	)	AUTHORIZING EMPLOYMENT OF
	)	KHANG & KHANG LLP AS GENERAL
	)	BANKRUPTCY COUNSEL TO THE
	)	DEBTOR AND DEBTOR IN POSSESSION,
	)	THE LITIGATION PRACTICE GROUP,
	)	PC., EFFECTIVE MARCH 20, 2023
)	
)	
	)	[No Hearing Required Per Local Bankruptcy
	)	Rule 2014-1(b)]

1 TO THE COURT, THE OFFICE OF THE UNITED STATES TRUSTEE, CREDITORS, AND
2 PARTIES REQUESTING SPECIAL NOTICE:

3 **PLEASE TAKE NOTICE** that The Litigation Practice Group, PC, debtor and debtor in
4 possession ("Debtor"), intends to employ Khang & Khang LLP ("K&K"), effective March 20,
5 2023 as general bankruptcy counsel to the Debtor, pursuant to 11 U.S.C. § 327(a), Rule 2014 of
6 the Federal Rules of Bankruptcy Procedure, and Local Bankruptcy Rule 2014-1(b).

7 Debtor believes that the appointment of K&K as its general bankruptcy counsel in this case
8 will be beneficial to the Estate because K&K's services and expertise in the practice of bankruptcy
9 law will greatly assist the Debtor in carrying out its duties in an efficient and effective manner.
10 Specifically, K&K will perform the following duties:

- 11 A. Advise and counsel Debtor regarding matters of bankruptcy law;
- 12 B. Represent Debtor regarding Debtor's legal rights and responsibilities under
13 the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the
14 Local Bankruptcy Rules, the United States Trustee Notices and Guides, and
15 to assist Debtor in the administration of Debtor's bankruptcy estate;
- 16 C. Advise Debtor with respect to preparing, filing and confirming of a plan of
17 reorganization;
- 18 D. Represent Debtor in proceedings or hearings before the Bankruptcy Court
19 in matters involving bankruptcy law or in litigation in the Bankruptcy Court
20 in matters relating to bankruptcy law;
- 21 E. Assist Debtor in the preparation of reports, accounts, applications and
22 orders involving matters of bankruptcy law; and
- 23 F Assist Debtor in such other matters as may be necessary.

24 Pre-petition, on March 17, 2023 K&K was retained by Debtor and received from Debtor
25 the sum of \$80,000 as a retainer deposit (the "Deposit") as attorneys' fees and costs deposit for
26 legal services to be rendered and costs to be incurred on behalf of Debtor in this Chapter 11 case.
27 To date, of the Deposit, \$1,738 has been expended on the filing fee for the case, and \$13,800 has
28 been expended for time spent (27.6 hours x \$500 per hour) on prepetition consultation, document

1 review and preparation of petition and related documents initially filed in this case. The remaining
2 balance of \$64,462 is held in trust. The Debtor will pay an additional \$20,000 as retainer deposit.
3 These funds will be held in trust and will not be disbursed until a fee application is approved by the
4 Court. The customary hourly rates may be adjusted periodically to reflect the advancing
5 experience, capabilities, and seniority of professionals, as well as general economic factors.

6 Copies of the Application for Order Authorizing Employment of K&K may be obtained by
7 contacting K&K at the address and telephone number set forth on page one of this Notice.

8 **IF YOU DO NOT OBJECT TO THE APPLICATION, NO ACTION IS REQUIRED.**

9 Pursuant to Local Rule 2014-1(b)(3), any response and request for hearing, must be in the
10 form required by LBR 9013-1(f)(1), must be filed with the Court and served on the Debtor's
11 counsel, and the Office of the United States Trustee not later than 14 days from the date of service
12 of this notice. No hearing is required unless timely requested by the Office of the United States
13 Trustee, a party in interest or otherwise ordered by the Court. Any response and request for
14 hearing not timely filed and served may be deemed by the Court to be consent to the relief sought.

15 DATED: April 18, 2023

KHANG & KHANG LLP

17 By: /s/ Joon M. Khang
18 Joon M. Khang

19 Proposed Attorneys for
20 The Litigation Practice Group, PC
21 Debtor and Debtor in Possession

22 Mailing Date: April 18, 2023
23
24
25
26
27
28

In re: THE LITIGATION PRACTICE GROUP, PC Debtor(s).	CHAPTER 11 CASE NUMBER: 8:23-bk-10571-SC
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
KHANG & KHANG LLP, 4000 Barranca Parkway, Suite 250, Irvine, CA 92604

A true and correct copy of the foregoing document described **APPLICATION FOR ORDER AUTHORIZING EMPLOYMENT OF KHANG & KHANG LLP AS GENERAL BANKRUPTCY COUNSEL TO THE DEBTOR AND DEBTOR IN POSSESSION, THE LITIGATION PRACTICE GROUP, PC, EFFECTIVE MARCH 20, 2023; DECLARATION OF JOON M. KHANG IN COMPLIANCE WITH BANKRUPTCY RULE 2014 AND LOCAL RULE 2014-1(2)** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On 04/18/23 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

☒ Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL(indicate method for each person or entity served):

On ____ I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on __ I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

04/18/23

Date

Joon M. Khang

Type Name

/s/ Joon M. Khang

Signature

In re The Litigation Practice Group, PC
Case No.: 8:23-bk-10571-SC

NEF Service List

- **Ronald K Brown** ron@rkbrownlaw.com
- **Joon M Khang** joon@khanglaw.com
- **Byron Z Moldo** bmoldo@ecjlaw.com,
amatsuoka@ecjlaw.com, dperez@ecjlaw.com
- **Alan I Nahmias** anahmias@mbn.law, jdale@mbnlawyers.com
- **Queenie K Ng** queenie.k.ng@usdoj.gov
- **Paul R Shankman** PShankman@fortislaw.com, info@fortislaw.com
- **United States Trustee (SA)** ustpregion16.sa.ecf@usdoj.gov